

REMARKS

This Amendment, submitted in response to the Office Action dated March 10, 2004, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Specification

The Examiner has objected to the abstract because it is longer than 150 words and has more than one paragraph. The abstract has been amended as indicated above. Applicant respectfully requests that the objection to the abstract be withdrawn.

Claims objections

The Examiner has objected to claims 4-9 stating that the claims are in improper form because a multiple dependent claim cannot depend from a multiple dependent claim. The claims have been amended as indicated above. No new matter has been added.

The Examiner has objected to claims 10-11 and 13-14 stating that the word “then” on page 18, line 27 (claim 10), page 19, line 17 (claim 11), page 20, line 6 (claim 13), and page 20, line 25 (claim 14) should be replaced with “them”. Claims 10, 11, 13 and 14 have been amended as suggested by the Examiner. Applicant respectfully requests that the objection to claims 10, 11, 13 and 14 be withdrawn.

Claims 1-14 have been objected to for use of the term “characterized”. The claims have been amended as suggested by the Examiner.

Claim Rejections - 35 U.S.C. § 112

Claims 1-2, 10-11, and 13-14 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out the distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner states that there are antecedent basis issues for “the data packets” in claims 1, 10 and 13 and “the user data field” in claims 2, 11, and 14. The claims have been amended as indicated above. Therefore, Applicant respectfully requests that the § 112, second paragraph rejection of claims 1-2, 10-11, and 13-14 be withdrawn.

Claim Rejections - 35 U.S.C. § 103

Claims 1-3, 10-11, and 13-14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Godse et al. (USP 5,974,048) in view of Luong (USP 6,314,105).

Claim 1

Claim 1 recites broadcasting the block of information from the broadcast module (broadcast node “BN” as cited by the Examiner) to switches (root modules 13, 15 or 18 as cited by the Examiner) adjacent the first switch and to destination second terminals which are connected directly to the first switch. In an exemplary embodiment of the present invention, this prevents the repetitive nature of blocks of information from being transmitted to all of the switches in the network which would result in a non-negligible portion of resources of the network being devoted to maintaining its own operation.

The Examiner cites Figs. 8a and 8b for teaching this aspect of the claim 1. However, it appears that blocks of information are transmitted to not only switches adjacent the broadcast module, but to all of the switches in the network. In particular, in Godse, *all* end systems receive *all* cells which are broadcast down *all* links at each broadcast node. Therefore, it does not appear that information is broadcast from a broadcast module to switches *adjacent* the first switch and to destination second terminals which are connected *directly* to the first switch. Consequently, it would appear that in Godse, blocks of information become repeatedly transmitted resulting in a waste of resources.

In addition, the mere existence of an ATM network, does not mean that a broadcast module of a first switch (a BN of a root module 13, 15, or 18) will request the set up of an X.25 virtual circuit or that a broadcast request is placed in one field of the call request packet ('SSetup' request message). In particular, there is no indication that a broadcast request is placed in a field of the SSetup message.

The Examiner states that Godse does not teach an X.25 network, and cites Luong to cure the deficiency. The Examiner states that it is well known in the art that X.25 is a connection-oriented protocol which requires VP's/VC's to be set up before serially transferring data packets. The Examiner additionally states that Luong discloses at col. 6, lines 39-40 that X.25 is a connection oriented, packet switched protocol which is *similar enough* to ATM as to be implemented interchangeably. However, there is no indication in the respective column and lines cited by the Examiner that ATM and X.25 are interchangeable. The respective column and lines cited by the Examiner describe that a router 118 connects a source station 126 to a first

network which can be an ATM or X.25 network. Merely because a device can be connected to an ATM or an X.25 does not mean that the networks are always interchangeable or that the networks share the same characteristics.

Furthermore, it would be apparent to one of ordinary skill in the art that an ATM network and an X.25 network are not immediately interchangeable, and the network used will vary according to the user's needs.

For at least the above reasons, claim 1 and its dependent claims should be deemed patentable. Since claims 2, 10, 11, 13 and 14 describe similar elements, claims 2, 10, 11, 13 and 14 should be deemed patentable for the same reasons.

Claim 10 and 11

The Examiner states that Godse does not disclose a means for storing and then broadcasting a block of information to be broadcast that has been placed in the data packets or the user data field, and cites Lee to cure the deficiency. Since claims 10 and 11 describe subject matter similar to claim 1, claims 10 and 11 should be deemed patentable for at least the reasons set forth above.

Furthermore, the Examiner has provided no motivation for the combination of Godse, Luong, and Lee. As previously indicated, Godse, Luong and Lee describe ATM networks. The Examiner has not established where the set up of an X.25 virtual circuit between a first terminal and a broadcast module, is disclosed the prior art. Therefore, claims 10 and 11 should be deemed patentable.

Claim 12 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Godse and Luong, and further in view of Murthy et al. (US 6,545,982).

Claim 12

Claim 12 describes means for determining whether a switch adjacent to the switch to which it belongs has already receive the block of information to be broadcast. The Examiner states that neither Godse nor Luong teach the elements of claim 12 and cites Murthy to cure the deficiency.

The Examiner states that Murthy col. 8, lines 15-26 and col. 8, lines 49-52 describes customer filtering rules, therefore, it would be obvious to apply the filtering rules of Murthy with Godse and Luong in order to test whether each adjacent switch has already received the block of information. However, there is no indication that *a switch* would determine that a switch *adjacent* to it has already received a block of information to be broadcast. In particular, in Murthy, it appears that monitoring is performed for a *selected port* (ports being cited for teaching a switch) and not adjacent ports, according to the spanning tree algorithm. See col. 8, lines 3-7.

Furthermore, Murthy does not cure the deficiency in either Godse or Luong, since Murthy does not described the claimed X.25 virtual circuit and its relationships to other claimed elements. Therefore, for at least the above reasons, claim 12 should be deemed patentable.

Claims 15-32 have been added to address the multiple claim dependency rejection of claims 4-9. Claim 33 has been added to further define the transmission of block information and

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claims 34-35 further define the block information of claim 1. Claims 33-35 should be deemed patentable for the reasons set forth above.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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CUSTOMER NUMBER

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